

Amendments to the Drawings

Attached hereto is a replacement drawing sheet of Figs. 1-2(c). Fig. 1 has been amended to change reference numeral "4" to "8".

Attachment: One replacement drawing sheet

REMARKS/ARGUMENTS

Claims 1 and 3-17 are pending herein. Claim 1 has been amended as supported by cancelled claim 2 and Fig. 3(c), for example. Claims 3-5 have been amended to address matters of form and dependency. Claims 7-9 and 11 have been amended to address matters of form. New claims 12-17 have been added hereby as supported by the original claims and drawings (see Fig. 6(b) for claim 13 support, for example). The specification and Fig. 1 have been amended to address a matter of form. Applicants respectfully submit that no new matter has been added.

1. The rejection of claims 2-5 and 7-9 under §112, second paragraph are noted, but deemed moot in view of the cancellation of claim 2 and the amended claims submitted above. Applicants respectfully submit that claims 3-5 and 7-9 still recite “a hologram transfer layer” because the hologram transfer layer contains multiple layers beyond just a hologram layer. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

2. Claims 1-5 and 7-11 were rejected under §102(b) over Tone or Tajima; claims 1-11 were rejected under §103(a) over Tone or Tajima; and claims 1-11 were rejected over §102(b) over Kobayashi or Onishi. To the extent that these rejections may be applied against the amended claims or new claims submitted above, they are respectfully traversed.

With reference to Fig. 3(c), claim 1 has been amended to clarify that an intermediate transfer medium is provided on a part of the base material sheet and that the hologram transfer layer is provided on less than the entirety of the intermediate transfer medium. Amended claim 1 now provides that the volume hologram transfer layer is located on or covers less than the entirety of the intermediate transfer medium. As such, a clearance region or free space marking area is provided around the

hologram transfer layer so that additional figures, characters, or identification ink symbols can be added or applied in this open area or region, as desired or needed. This selective coverage of the intermediate transfer medium expands the functionality and efficient commercial use of the thermal transfer sheet by the ability to simultaneously apply the hologram transfer layer and separate unique ink codes or additional markings in a high volume mass production environment (see paragraphs [0015] and [0016] of the specification).

Neither the claimed invention nor the attendant advantages thereof would have been disclosed or obvious to one skilled in the art based on the applied references.

Tone discloses a hologram transfer foil where a protective layer, a hologram layer and a seal layer are successively laminated to a base material. Applicants respectfully submit that there is no disclosure or suggestion in Tone that a hologram transfer layer is provided on less than the entirety of the intermediate transfer medium, as presently claimed. As such, there is no disclosure or insight on how to provide an open marking region around the hologram transfer layer, as in the case of the present invention.

Tajima fails to disclose or suggest the presently claimed invention for reasons similar to those explained above with respect to Tone. Specifically, Tajima discloses a light diffracting transfer sheet where a light reflective layer, an adhesive layer and a release layer are successively formed on the underside of a base sheet. Applicants respectfully submit that there is no disclosure or suggestion in Tajima, however, of an open area or region provided around the hologram transfer layer on the intermediate transfer medium of a thermal transfer sheet. Moreover, there is no disclosure or suggestion in Tajima, as in Tone, regarding the importance, use and benefits provided by such an open identification area of the thermal transfer sheet for additional security measures and markings, as in the case of the present invention.

Kobayashi merely discloses an intermediate transfer medium that comprises a base material film and a transfer part that is releasably provided on the base material film containing a plurality of separate hologram patterns formed on the transfer part. Applicants respectfully submit that there is no disclosure or suggestion in Kobayashi of a hologram transfer layer that comprises a hologram layer on less than the entirety of the intermediate transfer layer of a thermal transfer sheet, as now claimed. As such, there is no disclosure or suggestion on how to improve the functionality and efficiency of the thermal transfer sheet by providing the ability to add such unique ink symbols or characters around the hologram transfer layer in a mass production environment, as in the case of the present invention.

Additionally, Applicants respectfully submit that Onishi discloses a transfer layer of an intermediate transfer medium that can be transferred via a transferring adhesive layer having a suitable adhesive property to either a transfer layer or a transfer-receiving material. As in the other applied references, however, Applicants respectfully submit there is no disclosure or suggestion in Onishi of the presently claimed hologram transfer layer specifically provided on less than the entirety of the intermediate transfer medium, as claimed.

Applicants respectfully submit that the arguments presented above distinguish amended claim 1 from Tone, Tajima, Kobayashi and Onishi, and that the prior art of record fails to disclose or suggest each and every element recited in claim 1. Accordingly, Applicants respectfully submit that claim 1 and claims 3-11 that depend either directly or indirectly from claim 1, define patentable subject matter over the applied references, and respectfully request that the above rejections be reconsidered and withdrawn. New claims 13-17 are allowable for the same reasons.

For at least the foregoing reasons, Applicants respectfully submit that all claims pending herein are in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance in due course.

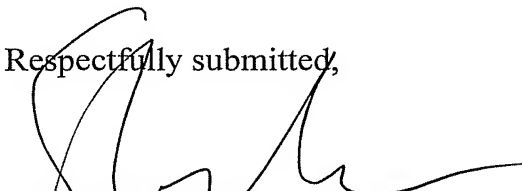
If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

May 11, 2009

Date

Respectfully submitted,



Stephen P. Burr
Reg. No. 32,970

SPB/JZ/tlp

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 025191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320